

REMARKS**I. Status of the Claims:**

Claims 1-15 are all the claims currently pending in the application.

By this Amendment, claim 2 has been canceled without prejudice or disclaimer, and claims 1 and 4 have been amended. No new matter has been introduced by this Amendment. Thus, entry and consideration of this Amendment are respectfully requested.

II. Response To Objections To The Drawings:

The drawings are objected to under with 37 CFR 1.83(a) for allegedly not showing every feature of the invention as specified in the claims. In the Office Action, the Examiner states that the “capping opening help means” is not shown in the figures and, therefore, should be added or the feature(s) canceled from the claim(s). the Applicants respectfully traverse the objection of the drawings, for the reasons set forth below.

Fig. 2 (i.e., elements 2, 52 and 53) sufficiently illustrates an example of the “capping opening help means” and, thus, no changes are required (see also page 13, lines 6-10 as well as page 23, line 20-page 25, line 6). Accordingly, the Applicants suggest that the current figure(s) adequately show the structural elements (2, 52 and 53) that best illustrate the “capping opening help means,” as recited in the claims.

III. Response to Claim Objections:

Claims 6, 7 and 12 are objected to because of their dependencies on rejected base claims, but would be allowable if rewritten in independent form to include all the limitations of their base claims and any intervening claims. The Applicants, however, have chosen not to rewrite the claims at this time because the amendments and arguments presented herein to overcome the

prior art rejections under §102 and §103 are also believed to be sufficient to overcome the claim objections to claims 6, 7 and 12.

IV. Response to Claim Rejections Under 35 U.S.C. §102 and §103:

Claims 1, 3 and 8-11 are rejected under 35 U.S.C. §102(e) as being anticipated by Sugimoto et al. (U.S. Patent No. 5,670,997, hereafter Sugimoto). Additionally, claims 2, 4 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sugimoto in view of Ito et al. (U.S. Patent No. 5,075,609, hereafter Ito). Accordingly, the Applicants propose the following arguments and claim amendments for responding to the above claim rejections.

In Office Action, the Examiner alleges that Sugimoto and Ito disclose, teach or suggest each and every element as recited in the claims of the present invention. To expedite prosecution, the Applicants have amended independent claim 1 to further distinguish the present invention from the cited prior art.

The present invention as recited in claim 1 is believed to be distinguishable from the cited prior art in that the detection means detects whether the cap opening operation by the capping means can be performed or not. Additionally, the help means performs the cap opening help operation if the detection means detects that the cap opening operation by the capping means cannot be performed.

In contrast, Sugimoto discloses a help means performing a cap opening help operation that facilitates the cap opening operation. Sugimoto does not disclose a detection means that detects whether the cap opening operation by the capping means can be performed or not; or a help means that performs the cap opening help operation if the detection means detects that the

cap opening operation by the capping means cannot be performed. Similarly, Ito only discloses that an encoder detects the moving distance of carriage.

Therefore, if one of ordinary skill in the art were to combine the teachings of Sugimoto and Ito, the combination still would not teach or suggest the features recited in claim 1, as amended. In view of the foregoing, claim 1 and the claims dependent therefrom are believed to be patentably distinguishable from the cited references.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5110.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5110.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: Mark D. Pratt
Mark D. Pratt
Registration No. 45,794
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101